The Salt Lake Herald Vol. 159, No. 2,

# SIX YEARS IN THE FEDERAL

# OLEO DEALER

Judge K. M. Landis of the United States District Court Imposes a Heavy Penalty Upon Chicago Man.

NAME OF CONGRESSMAN FIGURES IN THE TRIAL

Government Said to Have Been Defrauded out of \$15,000 or \$20,000 Through the Operations of the Man Sentenced.

### OTHERS YET TO BE TRIED

Chicago, Feb. 28 .- Federal inquiry into methods of disposing of oleomargarine was ordered today by Judge K. M. Landis of the United States district court after he had sentenced one of four dealers, indicted for violating the oleomargarine regulations, to six years in the federal prison at Fort Leavenworth and had fined him \$15,000.

The man who was sentenced to the penitentiary was W. A. Broadwell. The other three cases were continued until Thursday.

"It has been disclosed that probably not less than \$15,000 and possibly more than \$20,000 has been lost by the United States government as a result of Broadwell's activities, said Judge Landis, in sentencing the oleomargarine dealer. "Whenever arrested he has given bonds and then gone out and violated the law the next day. It has been a wilful defiance of the law. His bond has been supplied by an oleomargarine manufacturer, a proceeding which I regard as my duty to say is highly significant.

Thomas Dudman, purchasing agent for the eleomargarine firm, told of his connection with the case as bondsman for the indicted man. "When you went on the bonds of these men, did you expect to be indem-nified in case there were any losses?"

"Yes, sir," replied Dudman.
"Who was going to indemnify you?"
"My employer, William J. Moxley." Then restaurant men were not going to indemnify you?"

Mr. Moxley is representative in Congress from the sixth district of Illinois.

Large Quantities Sold.

Federal inspectors told the court that the defendants sold daily large quanti-ties of illegally manufactured oleomargarine to restaurants in district No.

The assistant district attorney presented government reports showing that Broadwell and another defendant bought a total of 143,183 pounds of white oleomargarine in the six months from July, 1909, to January, 1910, and in the same period purchased 3,000 pounds of colored oleomargarine. The government contention is that the de-fendants colored the white eleomar-garine before disposing of it, thus avoiding the tax of 10 cents a pound on

Another contention of the govern-ment was that if the makers of white oleomargarine knew the uses to which it would be put after sale and supplied coloring material to the purchaser, they might be deemed guilty of conspiracy in violation of the law.

SENATORS ARE NOT IMMUNE

FROM SUMMONS INTO COURT

Decision of Justice Wright in Case

of Congressional Printing

Committee.

Washington, Feb. 28.—Justice Wright, in the supreme court of the

District of Columbia, today decided that the court acted within its au-

thority when it issued the writ of mandamus ordering the joint commit-

tee on printing of congress to show cause why it should not consider the

the mandamus because some of the persons sued occupied the exalted po-

Justice Wright declared in his decision that to have refused to issue

bid of the Valley Paper company of Holyoke, Mass.

sition of senators"would have been to betray the law."

thority which had been conferred upon the Senate.

it by congress itself and was interpret-

ing the very law which congress had

"No man in this country is so high that



JUDGE K. M. LANDIS. Jurist who fined the Standard Oil company \$29,240,000 and who has just sentenced an oleomargarine dealer to six years in the federal prison at Leavenworth.

# PARALYZE TRAFFIC

### Floods and Washouts Stop Eastbound Trains Over Southern Pacific

+ railroad track near Battle Mountain, Nev., has been washed away by the + sudden rising of the Reese river. Trains 1, 2, 3, 5, 6 and 10 are tied up + at Battle Mountain for an indefinite period, and the population of that + little town has been suddenly increased by over 1,500 people. Many of the stranded passengers are from the east, and are seeing for the first time the sights of a western town, indulging in bucking fare and roulette

The Reese river, which has crossed the track, is still rising. 

Washouts in Nevada, blizzards in Utah and Wyoming, snow slides in Idaho and rock slides in Colorado, paralyzed railroad traffic in five states yesterday, and caused more than a million dollars of damage, besides disrupting train service and making transcontinental travel a hazardous undertaking.

Freaks of the elements caused the damage to roads that center in Utah. While central Nevada was wallowing in water, caused by an unexpected thaw, Idaho was blanketed by a heavy downfail of snow, eastern Utah and Wyoming were getting a severe blizzard, and a Colorado road was suffering an avalanche of rocks. was suffering an avalanche of rocks.

Coming simultaneously, these dangerous whims of nature played havoe with the Southern Pacific, Union Pacific, Oregon Short Line, Western Pacific and Denver & Rio Grande railroads. The only reason that similar unpleasantness has not been visited upon the Salt Lake Route is because that line is already out of com-

Four eastbound trains on the Southern Pacific, Nos. 2, 4, 6 and 10, were annulled yesterday because of the washouts between Winnemucca and Wells, stretching nearly across the state of Nevada. The Humboldt river, of mysterious source, spread its damage along a great part of the system, aided by thaws that

(Continued on Page Two.)

ONE BODY RECOVERED.

## OF THE BILL RETAINED

House Committee Votes for Clause Pascoe for Creation of Interstate Commerce Court.

Washington, Feb. 28.-By a majority of wo the House committee on interstate ommerce today voted to create the inerstate commerce court, one of the prinipal features of the Townsend adminisration bill.

This provision the President and the attorney general have been fighting to have kept in the bill. The vote in the committee was 10 to 8. Chairman Mann and depresentative Stevenson of Minnesota, depublicans, and Representatives Adamon of Georgia, Richardson of Alabama, artlett of Georgia, Russell of Texas, Bartlett of Georgia, Russell of Texas, Simms of Tennessee, and Peters of Massachusetts, voted against the measure.

Those voting for the court were Representatives Wanger of Pennsylvania, Esch of Wisconsin, Townsend of Michigan, Kennedy of Ohio, Knowland of California, Hubbard of West Virginia, Miller of Kansas, Stafford of Wisconsin, Calder of New York, and Washburn of Massachusetts,

The committee adonted with minor The committee adopted with minor amendments the first six sections of the Townsend bill, all of which relate to the court, and had just reached the seventh section, relating to the tariff agreements, when it adjourned. It will consider the rest of the bill section by section, and probably will be able to order a favorable report on the bill by the end of this week.

Order Made by New Justice.

he is higher than the law," said the justice.

"All officers are creatures of the law and even the government of the United and even the government of the United the Senate in ordering its members of the senate committee on the Senate in ordering its members of the successful to vacate the order of Justice Lurton is the Senate in ordering its members of the successful to vacate the order of Justice Lurton is the Senate in ordering its members of the successful to vacate the order of Justice Lurton is the senate committee on printing to ignore the States is less than the law. What is there in the exalted position of a senator which prevents any citizen from laying what he believes to be an injury pefore the bar of justice?"

The justice announced that his decision made no attempt to dispose of the states in ordering its members of the joint committee on printing to ignore the joint committee or fitted was the prime minister and Chancellor Lloyd George declared the government staked its existence. In the meantime the budget it is taken up it will combine the stands sidetracked. It is likely when district of New York in regard to his justice announced that his decision made no attempt to dispose of the

The justice announced that his decision made no attempt to dispose of the merits of the case but was merely to hold that the court was acting within the author move as the whole question was for the case but was merely to hold that the court was acting within the author move as the whole question was for the court did. fraud the government in the weighing of The court did, however, take the matter

that it may later vacate the order.

# AND MORE VICTIMS

### Burke and Mace, Idaho, Devastated By Avalanches Down Mountain Sides.

Spokane, Wash., Feb. 28 .- It is learned today that a third avalanche in addition to those at Mace and Burke, Idaho, destroyed the mining camp of the Carbonate Hill Mining company near the "S" bridge at Mul-

lan, Idaho, about noon Sunday. Three are reported dead: Gus Berglund, John Holm, Erick Holm, miners. The body of Gus Berglund has been recovered.

Nineteeen are now known to be dead in the avalanches that nearly obliterated the towns of Mace and Burke, Idaho, last night and this morning, and the death list will probably be largely increased as the rescuers reach other bodies.

The fight against time and cold has ! been waged bravely and persistently by the little army of men who are hoping to find under the heaps of ruin in the ravines some persons who by good fortune have escaped death. Although the greatest of difficulties have thrown discouragement in their paths, these men have dug and torn and strained frantically for more than 24 hours, pausing scarcely to warm their numbed bodies before again seizing their shovels and returning to their work.
Old men, young boys, and men of the
cloth have joined their efforts with those
of the able-bodied in the common cause.
Mace is situated on the creek bed and Mace is situated on the creek bed and the mountain rising on either side of the canyon. The slopes have been well denuded of trees by the mines. The main body of the avalanche, which started from the top of Custer mountain, passed beyond the town and, striking the opposite slope with terrific force, rushed up the mountain side. The canyon is filled up to a depth of from 40 to 50 feet. Names of victims so far as known, follow:

Killed in Mace Slide. R. H. Pascoe, superintendent of the

tandard mine.
Eddie Pascoe, son of R. H. Pascoe.
Inez Pascoe, daughter of R. H. Pascoe.
Mrs. Ed Kittrell, wife of bookkeeper of he United Stores company. Two Kittrell children.

Mrs. John Fennell. Mrs. Laird, mother of Al Laird.

Injured at Mace Slide. Mrs. R. H. Pascoe. Miss Katie Pascoe.

Mrs. E. M. Hooper, Mrs. Guest. Wm. George. George Gibson. Mrs. George Gibson. Mrs. Abe Winchester.

Taken Out Alive at Mace Slide. Six children of Wm. George. Miss George. Mrs. George Hooper. Wm. Brand, wife and child.

Newton, wife and children. Gano Duncan, wife and children. Mrs. Gassaway.

Ed Wheatley, wife and child. Paul Edwards, wife and three children. Thos. Flannagan. Killed in Burke Slide.

Dave Shepherd.

Two children of Al Newman.

Injured in Burke Slide.

The damage to the town was done by an offshoot from the main slider which carried away the construction train on the track as it plunged into the ravine, and, shooting up the other side, demolished the houses in its path, stopping a short distance havened the

out almost all of the town of Mace, five miles up the canyon from here. This catastrophe occurred at 10:45 Sunday night, while all the population except the men on the night shift in the Standard and in the other mines in the

(Continued on Page Two.)

## PREMIER ASQUITH

Conservatives Not Anxious for a Second General Election at Present Time.

London, Feb. 28 .- At the session of the house of commons today, the outcome of which was eagerly awaited by all the members of both houses able to pack An important amendment voted by the ommittee was a section of the Mann bill life until after Easter.

This was the gift of the Conservatives, anxious to avoid two generatives. themselves into the chamber, Premier lice, is a Asquith's government obtained a lease of children.

who were so anxious to avoid two gen-eral elections within so brief a period HEIKE'S IMMUNITY PLEA that they accepted the premier's program that they accepted the premier's program without calling for a vote.

When the house of commons meets after Easter, it will take up the struggle to revolutionize the British government system. Resolutions will be presented to deprive the house of lords of all auchority over tipances and of the newer of ity over finances and of the power of vetoing the measures of the lower house

ceeds the government proposes next year to proceed with the transformation of the house of lords from a hereditary to a democratic body.

### **ELIHU ROOT GIVES** INCOME TAX VIEWS

Dissents From Opinion of Gov. Hughes in Letter to New York State Senator.

New York, Feb. 28.-Elihu Root's reasons and his views on the subject as opposed to those of Governor Hughes were presented to the New York legislature tonight in the form of a letter addressed to State Senator Davenport. The letter was read both in the Senate and the Assembly. The letter in part follows:

"My Dear Senator: Since our conversation between the Letter to the Senator of the

tion last month I have given much con-sideration to the scope and effect of the

that I should state my view of its ef-

"The proposed amendment is in these "'Article 16. The Congress shall have power to lay and collect taxes on incomes.

"The objection is made to the amendment that it will confer on the national government the power to tax incomes derived from bonds issued by the states or under the authority of the states, and will place the borrowing capacity of the states, and state and its governmental agencies at the mercy of the federal taxing power.

"I do not find in the amendment any such meaning nor effect. I did not con-

and rules which are now applicable to the determination of that question."

# side, demolished the houses in its path, stopping a short distance beyond the Pascoe, home. The boarding house of the Standard mine, where about 300 miners were sleeping, was missed by only about 120 feet. The first slide was that which wiped only almost all of the town of Mace, almost all of the town of Mace, or the side of the side

Frank Rogers in Jail as the Result.

two pistol bullets fired by Frank Rogers, to engage in that business which can with whom he had an altercation on one of the main streets of the city over alleged attentions paid to Rogers' wife by Lorton, and a small sum of money borrowed by Lorton from Rogers some time ago, and which was unpaid. Rogers, who did the shooting, is in the city jail and will probably be held on a charge of murder.

The shooting took place shortly before 1 The shooting took place shortly before 1 o'clock and was witnessed by a number of people. Lorton and Rogers were arguing on the street and suddenly Lorton struck Rogers a heavy blow in the face, knocking him into the gutter. Rogers pulled a pistol and, while rising from the pavement, fired two shots, one striking Lorton just below the right eye, entering the brain and the other penetrating the right brain, and the other penetrating the right

Lorton died instantly. Lorton was a business man of this city, being the senior member of the plumbing firm of Lorton & Schier. He is married. Rogers, who gave himself up to the pois a plumber, married, and has two

### **DENVER NEGROES BARRED**

Color Line Drawn at Banquet of the Laymen's Missionary Movement at Colorado Capital.

leaving to the lords only the functions of delay and discussion. If this plan suc-Denver, Feb. 28 .- There will be no negro delegates among the 1.500 persons who will attend the banquet in this city Thursday night inaugurating the Denver convention of the laymen's missionary movement. Many members of negro churches acceptprime minister and Chancellor LloydGeorge declared the government staked it is existence. In the meantime the budget stands sidetracked. It is likely when it is taken up it will combine the budgets of two years, shorn of the features objectionable to the Irish members.

SHOT BY ROBBER.

Kansas City, Mo., Feb. 28.—Russell Sage, 22 years old, was shot and seriously wood station, near Independenc, Mo., shot him in the abdomen.

Adaly members of thegro curthers accept to the banquet, when the daterent for the banquet, when the latter pludgets of two years, shorn of the featbudgets of two years, shorn of the featwith his white waiters stipunting that they would not be called upon to serve negroes. The committee in charge of the banquet made other provisions for the negro delegates, but when the latter glewood station, near Independenc, Mo., who will be the provisions of the proposal to curtail the negro delegates, but when the latter learned of the discrimination they announced today that they would not attend.

"We have an ordinance prohibiting the wearing of large hats in theatres," deletter was signed by May E. Davis, and formed the committee in charge of the women of Chicago that they would not be read a letter which was spread on the council minutes. The learned of large hats in theatres," deletter was signed by May E. Davis, and formed the provisions for the negro delegates, but when the latter late of the banquet, when the learned negroes were to attend.

"The behalf of myself and thousands of the bins stick five and six inches beyond the brim of their hats."

Grave silence hovered over a delegation of women in the galleries. Then a voice piped out:

"Owen in the city clerk read a letter which was spread on the council minutes.

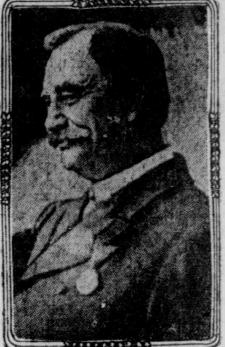
"The behalf of myself and thousands of the banquet was signed by May E. Davis, and with his with the abdomen was signed by May E. Davis, and formed the committee in charge of the banquet with his white waiters stipulation they are all of the city clerk read a letter whic ed the invitation sent to them and to practically all other congregations in Den-ver, but the caterer for the banquet, when he learned negroes were to attend, in-formed the committee he had a contract

reated.

Whether the senators appeared in court at this stage of the proceedings Justice within the seventy-six miners lost certainly had been established. If there existed a cause of active that would be determined as the proceedings went on. The question of the senators appeared in court at this stage of the proceedings went on. The question of the senators appeared in court this stage of the proceedings Justice at this stage of the proceedings Justice at this stage of the proceedings with the senators appeared in court do such a thing." Shot him in the abdomen.

Trinidad, Colo., Feb. 28.—Workmen endown and adderman paul-do such a thing." Some fell leaving a street car fell of the under the senator of the senator of the beat of the beat of the beat of the survivors of the leaving a street car fell of the under the senator of the senator of the beat of the survivors of the leaving a street car fell of the under the senator of the leaving a street car fell of the under the senator of the leaving a street car fell of the last member of the last member of the bar of the last member of the beat of the survivors of the last member of the beat of the survivors of the leaving a street car fell of the last member of the last member of the last member of the last member of the survivors of the last member of the survivors of the last member of the survivors of the last member of the bar of the last member of the survivors of the last member o

# MAY FORCE ACTION



MAYOR REYBURN. Executive of Philadelphia who believes strike will be settled if outsiders do not interfere.

for advocating the proposed income tax Senate Committee Informed as to How to Break Up Alleged Monopoly.

proposed income tax amendment to the constitution of the United States.

"Much as I respect the opinion of the governor of the state, I cannot agree with the view expressed in his special message of January 5, and as I advocated in the Senate the resolution to submit the proposed income tax amendment to the constitution of the United States.

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"Much as I respect the opinion of the States."

Harriman trans-continental lines continue to be until midnight.

"Many labor leaders still hope that the constitution of the continue to the continue

from whatever source derived, without ern Pacific railroad, members of the are expected to reach rimaucipina apportionment among the several states. Senate committee on inter-oceanic canmending legislation that would reach the merger.

The hearing today was held to give swer the criticism of Senator Bristow that the government was giving aid to situation had improved greatly today. the transcontinental railroads by not men would get together for an amica-encouraging the establishment of an ble settlement if outsiders did not in-

relieve the exercise of the taxing power from the requirement that the tax shall be apportioned among the several states. "The effect of the amendment will be, in my view, the same as if it said:

"The United States may lay a tax on incomes without apportioning the tax, and this shall be applicable, whatever the source of the income subjected to the tax." leaving the question: "What incomes are subject to national taxation?" to be determined by the same principles and rules which are now applicable to Several senators pressed the secretary.

He said that the surest way would be for the government to build ships and operate them, but he would not say such a course would be the wisest. He aid that the question was a legislative be taken.

C. O. Pratt, leader of the carmen, said

city, lies at the city morgue dead from not believed it wise for the government

Less Rioting in Philadelphia but the Danger of General Suspension of Work Has Aroused Business Men.

WALKOUT MAY OCCUR BEFORE THE TIME SET

National Labor Leaders Expected to Confer With Local Union Men Wednesday and More Trouble May Be Had.

### MEETING OF THE PASTORS

Philadelphia, Feb. 28 .- In spite of the constantly increasing number of ATTENDS HEARING demands by religious bodies and others that the strike against the Philadelphia Rapid Transit company be settled by arbitration, officials of that company declared tonight that no proposition to arbitrate is being considered by the board of directors.

There were very few disturbances Washington, Feb. 28.-Secretary of along the line of the company today War Dickinson today proposed that the and an increased number of cars anti-trust law be invoked to break up were in operation. Heavy rain to-

When it was suggested today that public sympathy will force arbitrauit under the Sherman law might fail tion before the general strike voted ated as an independent line, might be yesterday goes into effect. The naconsidered a competitor of the South- tional heads of labor organizations as discussed the advisability of recom- meeting of labor chiefs on Wednesday night, and it is possible that the general strike order may be changed the secretary of war opportunity to an- then to become effective immediately. Mayor Rayburn said tonight that the

such meaning nor effect. I did not consider that the amendment will enlarge the transcontinental railroads by not the side of the transcontinental railroads by not the same as if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the railroads by not the settlement if outsiders did not in-terfere. The proposal to arbitrate, he said, was talked over at today's meeting of the Rapid Transit board, but he took no part in the discussion.

Men who report for work tomorrow morning, the mayor stated, will be taken back and subjected to no penalty. They must come as individuals, how-ever, and will not be permitted to wear

> Mr. Dickinson said could not be granted under authority vested in him or any other member of the President's cabi- mayor. "Their effect is to hoodwink Several senators pressed the secretary of war for his opinion of the surest way to break up the Pacific Mail men. The last strike was settled by arbitration, and see the result. Men are being sent to prison and live Let the men and the company settle their own differences."

Councils May Act.

such a course would be the wisest. He said that the question was a legislative when some action to end the strike will

this afternoon:
"One reason why we deferred the do," said Chairman Flint. "That is, what you would do if you were a senator."

"One reason why we deferred the general strike until Saturday, was to give to the workmen an opportunity to go to their employers and emphasize the size of the strike until Saturday. The strike until Saturday was to give to the workmen an opportunity to go to their employers and emphasize the strike until Saturday. different political schools," said the sec-retary, "but I have never believed it was the duty of the government to fur-nish means of transportation. I have Reno, Feb. 28.-W. E. Lorton, of this nish means of transportation. I have agreements with their workmen are no onger binding.

It is reported here tenight that the National Civic Federation will endeavor

### CITY COUNCIL OF CHICAGO UP AGAINST HARD PROBLEM

### Is a Long Hat Pin a Deadly Weapon and Should It Be Prohibited?

Chicago, Feb. 28 .- Chicago's city council tonight deliberated the following questions:

"Are women's long hat pins, which menace the noses, eyes and faces of other people, a public nuisance?" "Ought women, despite the danger of hat pins to be allowed to wear

them for self protection?" Alderman Herman J. Bauler introduced an order requesting the corporation counsel to draw up an ordinance restricting the length of hat

pins worn in public places.